

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

**DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF  
PLAINTIFF CALLAWAY GOLF COMPANY'S REPLY RE: MOTION TO  
DISQUALIFY DEFENDANT ACUSHNET COMPANY'S EXPERT  
DAVID FELKER**

I, Thomas L. Halkowski, declare as follows:

1. I am a member of Fish & Richardson P.C., counsel of record in this action for Callaway Golf Company ("Callaway"). I am a member of the Bar of the State of Delaware in good standing and am admitted to this Court. I have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. Attached to my declaration as Exhibit 1 is a true and correct copy of an excerpt from Acushnet Company's First Set of Requests For The Production Of Documents And Things to Callaway Golf Company, served on June 20, 2006.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2007, at Wilmington, Delaware.

/s/ Thomas L. Halkowski  
Thomas L. Halkowski

**CERTIFICATE OF SERVICE**

I hereby certify that on February 7, 2007, I electronically filed the  
**DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF PLAINTIFF  
CALLAWAY GOLF COMPANY'S MOTION TO DISQUALIFY DEFENDANT  
ACUSHNET COMPANY'S EXPERT DAVID FELKER** with the Clerk of Court  
using CM/ECF which will send electronic notification of such filing(s) to the following  
Delaware counsel. In addition, the filing will also be sent via hand delivery:

Richard L. Horwitz  
David E. Moore  
Potter Anderson & Corroon LLP  
Hercules Plaza, 6<sup>th</sup> floor  
1313 N. Market Street  
Wilmington, DE 19801

Attorneys for Defendant  
ACUSHNET COMPANY

I hereby certify that on February 7, 2007, I have mailed by United States Postal  
Service, the document(s) to the following non-registered participants:

Joseph P. Lavelle  
Andrew R. Sommer  
Howrey LLP  
1299 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Attorneys for Defendant  
ACUSHNET COMPANY

/s/ Thomas L. Halkowski  
Thomas L. Halkowski